

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION OF THE GAS COSTS)
OF B&H GAS COMPANY PURSUANT TO)
KRS 278.2207 AND THE WHOLESALE GAS PRICE) CASE NO. 2015-00367
IT IS CHARGED BY ITS AFFILIATE, B&S OIL AND)
GAS COMPANY, PURSUANT TO KRS 278.274)

ORDER

The Commission initiated this proceeding with its Order of November 24, 2015, which, among other things, required that B&H Gas Company ("B&H") and B&S Oil and Gas Company ("B&S") (collectively, "the Companies"), individually or jointly, respond to the request for information included in Appendix A to the Order. After receipt of the Companies' responses to that Order, and a January 14, 2016 informal conference requested by the Companies, Commission Staff, on February 10, 2016, issued its First Request for Information to the Companies ("Staff's First Request"), which stated that the information requested was due within 14 days of the date of the request. To date, the Companies have not responded to the request, nor have they submitted a motion or any other document seeking additional time in which to submit a response.

807 KAR 5:001, Section 4(12)(b), states that:

Commission staff, through the commission's executive director, may request information from any party to a case on the commission's behalf.

KRS 278.990(1) states, in part, that:

Any officer, agent, or employee of a utility, as defined in KRS 278.010, who. . . fails to obey any order of the commission

from which all rights of appeal have been exhausted. . . shall be subject to either a civil penalty to be assessed by the commission not to exceed two thousand five hundred dollars (\$2,500) for each offense or a criminal penalty of imprisonment for not more than six (6) months, or both.

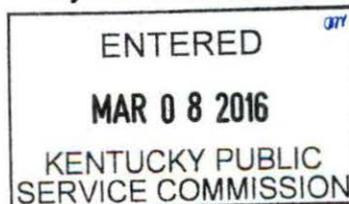
Based on the evidence or record, the Commission finds that:

1. As the Staff's First Request was issued on the Commission's behalf, the Companies have no discretion as to whether to respond to that request.
2. The Companies should respond to Staff's First Request within ten days of the date of this Order.
3. If responses to Staff's First Request are not filed within the time set forth herein, the Companies will be required to show cause why penalties pursuant to KRS 278.990(1) should not be imposed for the failure to file responses.

IT IS THEREFORE ORDERED that:

1. Within ten days of the date of this Order, the Companies shall respond to Staff's First Request issued on February 10, 2016.
2. If responses are not received within ten days of the date of this Order, a show cause proceeding will be initiated to determine whether there are any reasons why penalties should not be imposed pursuant to KRS 278.990 for the failure to file responses.

By the Commission



ATTEST:


Acting Executive Director *for*

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